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09400HB0769ham001

LRB094 07021 DRH 42820 a

1 AMENDMENT TO HOUSE BILL 769

2 AMENDMENT NO. _____. Amend House Bill 769 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Vehicle Code is amended by
5 changing Section 6-306.6 as follows:

6 (625 ILCS 5/6-306.6) (from Ch. 95 1/2, par. 6-306.6)

7 Sec. 6-306.6. Failure to pay traffic fines, penalties, or
8 court costs.

9 (a) Whenever any resident of this State fails to pay any
10 traffic fine, penalty, or cost imposed for a violation of this
11 Code, or similar provision of local ordinance, the clerk may
12 notify the Secretary of State, on a report prescribed by the
13 Secretary, and the Secretary shall prohibit the renewal,
14 reissue or reinstatement of such resident's driving privileges
15 until such fine, penalty, or cost has been paid in full. The
16 clerk shall provide notice to the driver, at the driver's last
17 known address as shown on the court's records, stating that
18 such action will be effective on the 46th day following the
19 date of the above notice if payment is not received in full by
20 the court of venue.

21 (a-1) Whenever any resident of this State who has made a
22 partial payment on any traffic fine, penalty, or cost that was
23 imposed under a conviction entered on or after the effective
24 date of this amendatory Act of the 93rd General Assembly, for a

1 violation of this Code or a similar provision of a local
2 ordinance, fails to pay the remainder of the outstanding fine,
3 penalty, or cost within the time limit set by the court, the
4 clerk may notify the Secretary of State, on a report prescribed
5 by the Secretary, and the Secretary shall prohibit the renewal,
6 reissue, or reinstatement of the resident's driving privileges
7 until the fine, penalty, or cost has been paid in full. The
8 clerk shall provide notice to the driver, at the driver's last
9 known address as shown on the court's records, stating that the
10 action will be effective on the 46th day following the date of
11 the notice if payment is not received in full by the court of
12 venue.

13 (b) Except as provided in subsection (b-1), following
14 ~~Following~~ receipt of the report from the clerk, the Secretary
15 of State shall make the proper notation to the driver's file to
16 prohibit the renewal, reissue or reinstatement of such driver's
17 driving privileges. Except as provided in paragraph (2) of
18 subsection (d) of this Section, such notation shall not be
19 removed from the driver's record until the driver satisfies the
20 outstanding fine, penalty, or cost and an appropriate notice on
21 a form prescribed by the Secretary is received by the Secretary
22 from the court of venue, stating that such fine, penalty, or
23 cost has been paid in full. Upon payment in full of a traffic
24 fine, penalty, or court cost which has previously been reported
25 under this Section as unpaid, the clerk of the court shall
26 present the driver with a signed receipt containing the seal of
27 the court indicating that such fine, penalty, or cost has been
28 paid in full, and shall forward forthwith to the Secretary of
29 State a notice stating that the fine, penalty, or cost has been
30 paid in full.

31 (b-1) In a county with a population of 3,000,000 or more,
32 following receipt of the report from the clerk, the Secretary
33 of State shall make the proper notation to the driver's file to
34 prohibit the renewal, reissue or reinstatement of such driver's

1 driving privileges. Except as provided in paragraph (2) of
2 subsection (d) of this Section, such notation shall not be
3 removed from the driver's record until the driver satisfies the
4 outstanding fine, penalty, or cost and an appropriate notice on
5 a form prescribed by the Secretary is received by the Secretary
6 directly from the court of venue, stating that such fine,
7 penalty, or cost has been paid in full. Upon payment in full of
8 a traffic fine, penalty, or court cost which has previously
9 been reported under this Section as unpaid, the clerk of the
10 court shall forward forthwith directly to the Secretary of
11 State a notice stating that the fine, penalty, or cost has been
12 paid in full and shall provide the driver with a signed receipt
13 containing the seal of the court, indicating that the fine,
14 penalty, and cost have been paid in full. The receipt may not
15 be used by the driver to clear the driver's record.

16 (c) The provisions of this Section shall be limited to a
17 single action per arrest and as a post conviction measure only.
18 Fines, penalty, or costs to be collected subsequent to orders
19 of court supervision, or other available court diversions are
20 not applicable to this Section.

21 (d) (1) Notwithstanding the receipt of a report from the
22 clerk as prescribed in subsection (a), nothing in this Section
23 is intended to place any responsibility upon the Secretary of
24 State to provide independent notice to the driver of any
25 potential action to disallow the renewal, reissue or
26 reinstatement of such driver's driving privileges.

27 (2) The Secretary of State shall renew, reissue or
28 reinstate a driver's driving privileges which were previously
29 refused pursuant to this Section upon presentation of an
30 original receipt which is signed by the clerk of the court and
31 contains the seal of the court indicating that the fine,
32 penalty, or cost has been paid in full. The Secretary of State
33 shall retain such receipt for his records.

34 (Source: P.A. 93-788, eff. 1-1-05.)

1 Section 99. Effective date. This Act takes effect January
2 1, 2006.".